

DETAILED ACTION

1. Prior office actions are incorporated in this Office Action by reference. Applicant filed a Request for Continued Examination (RCE) on September 18, 2008.

Allowable Subject Matter

2. Claims 1-11, 13-23 and 25-27 allowed.
3. The following is an examiner's statement of reasons for allowance: see below.
4. The closest prior arts of record:
5. U.S. Patents/ Publications: Oppenheimer et al., U.S. Patent Application Publication 2004/0128230 and Baker, U.S. Patent No. 6,336,103.

Oppenheimer teaches a processing system for modifying attributes of a plurality of loans. The processing system includes an attribute change processor for receiving and implementing a proposed change to an attribute of at least one of the plurality of loans and a loan pricing processor for generating a pricing value associated with the proposed change to the attribute of the at least one loan. Baker teaches a method and system for correlating an expected asset return of a portfolio to changes in future financial liabilities and also to other financial indices.

6. Non-Patent Literature: Get Set for Loan-Level Pricing by Arnold Kling discloses a guarantee fee that remained fixed over the life of the loan. The

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guarantee fee would be established once before issuance of the loan and then remain fixed.

7. In regards to claims 1, 10, 13 and 22 and 25 the closest prior arts of record when taken either individually or in combination with other prior arts of records fail to teach or suggest:

- “calculating, using the computer after issuing the security, a second guarantee fee based on the determined performance of the assets and based on the base guarantee fee; and resetting the base guarantee fee for the security with the second guarantee fee, based on the realized performance of the assets, once every predetermined time period.” (Claim 1)
- “resetting the guarantee fee for the security using a computer, based on realized performance of the assets, once every predetermined time period wherein the manner of securing one or more future guarantee fee increases comprises at least one of a group consisting of: varying an interest payment to a security holder as a guarantee fee varies, after issuing the security; retaining an excess servicing strip, after issuing the security; and securing future guarantee fees with a corporate guarantee, after issuing the security.” (Claim 10)
- “seventh computer readable program means for calculating, after issuing the security, a second guarantee fee based on the determined performance of the assets and based on the base guarantee fee; and eighth computer readable program code means for causing the computer

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- to reset the base guarantee fee with the second guarantee fee, based on realized performance of the assets, once every predetermined time period.” (Claim 13)
- “sixth computer readable program code means for causing the computer to reset the guarantee fee, based on realized performance of the assets, once every predetermined time period, wherein the manner of securing one or more future guarantee fee increases is one of a group consisting of: varying an interest payment to a security holder as a guarantee fee varies, after issuing the securing; retaining an excess servicing strip, after issuing the security; and securing future guarantee fees with a corporate guarantee, after issuing the security.” (Claim 22)
 - calculating, using the computer after issuing the assets, a second credit enhancement fee based on the determined performance of the assets and based on the base credit enhancement fee; and resetting the base credit enhancement fee for the security with the second credit enhancement fee, based on realized performance of the assets, once every predetermined time period.” (Claim 25)

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHAHID R. MERCHANT whose telephone number is (571)270-1360. The examiner can normally be reached on First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz P. Abdi can be reached on 571-272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Shahid R Merchant/
Examiner, Art Unit 3692

/Kambiz Abdi/
Supervisory Patent Examiner,
Art Unit 3692

